

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JOHN DAVID SHOCKLEY,

Plaintiff,

v.

UNIVERSITY OF TEXAS MEDICAL
BRANCH, et al.,

Defendants.

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§ Civil Action No. 3:06-CV-0223-K

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ORDER

After making an independent review of the pleadings, files and records in this case, and the Findings, Conclusions, and Recommendation of the of the United States Magistrate Judge, I am of the opinion that the Findings, Conclusions, and Recommendation of the Magistrate Judge are correct and are adopted as the Findings and Conclusions of the Court.

It is therefore ORDERED that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are adopted. Plaintiff's claims against Defendant Oliver in his official capacity are hereby **DISMISSED** without prejudice, and Plaintiff's claims against Defendant Oliver in an individual capacity are **DISMISSED** with prejudice.

SO ORDERED.

Signed this 9th day of October, 2007.



ED KINKEADE

UNITED STATES DISTRICT JUDGE